

EXHIBIT 2

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

MEWBOURNE OIL COMPANY,)
)
PLAINTIFF,)
)
VS.) CASE NO.
) 5:24-CV-00143-G

YUKON TRADING COMPANY,)
L.L.C.,)
)
DEFENDANT.)

ORAL AND VIDEOTAPED DEPOSITION OF
CURTIS D. HORNE, CPL
March 25, 2025
Volume 1

ORAL AND VIDEOTAPED DEPOSITION OF CURTIS D. HORNE,
CPL, produced as a witness at the instance of the
PLAINTIFF, was taken in the above-styled and numbered
cause on March 25, 2025 from 9:10 a.m. to 11:20 a.m.,
before Toyloria Lanay Hunter, CSR in and for the State
of Texas, reported by machine shorthand, at the law
offices of HOGAN THOMPSON SCHUELKE LLP, 1001 Fannin
Street, Suite 4775, Houston, Texas 77002, pursuant to
the Federal Rules of Civil Procedure and the provisions
stated on the record or attached hereto.

<p>1 next to you. That's fine. 2 (Exhibit 72 marked.) 3 A. Thank you. 4 BY MS. THOMPSON: 5 Q. Okay. So you understand that you're here 6 giving a deposition in a lawsuit filed by my client, 7 Mewbourne Oil Company, against Yukon Trading Company 8 LLC? 9 A. I do. 10 Q. Okay. And have you been retained by Yukon as 11 an expert in this matter? 12 A. I have. 13 Q. And are you being compensated for your work in 14 this case? 15 A. I am. 16 Q. And are you being compensated hourly? 17 A. I am. 18 Q. What is your rate? 19 A. \$400 an hour. 20 Q. And does your compensation depend on the 21 content of your testimony? 22 A. It does not. 23 Q. Does your compensation depend on the outcome 24 of the case? 25 A. Not at all.</p> <p style="text-align: right;">Page 6</p>	<p>1 to me that the issue probably arose because of the 2 process that is described here. And so without reading 3 the whole thing back to you, just kind of maybe hit some 4 points. But talking about certified mailed and return 5 receipt requested. 6 Is there any other type of certified mail? 7 Probably not. It talks about the process. You log in. 8 You make a label for mailing. That's all fine. If you 9 -- use return receipt. We use that on everything, yes. 10 It's what I expect. It's extra. 11 They talk a little bit about cost, and I 12 looked it up. The cost is like five-bucks-something 13 electronically. And \$4-something if you actually use a 14 green card. They've been using this for sometime. 15 The comment was made that they don't use 16 the green card. It's more work. And because they've 17 been told by a postal carrier that they're getting rid 18 of them and that they can't -- probably can't even get 19 them. Like this morning, you can get them at the USPS 20 website. 21 I did research on this. And I find no 22 indication -- people have asked are they getting rid of 23 it. But I could find no indication online that the 24 postal service intends to quit using the green card. 25 Q. Okay.</p> <p style="text-align: right;">Page 8</p>
<p>1 Q. I'm handing you what's been marked as 2 Exhibit 73. 3 (Exhibit 73 marked.) 4 BY MS. THOMPSON: 5 Q. Is this the expert report you put together for 6 this case? 7 A. It is. I'm just glancing to make sure, but... 8 Q. No worries. 9 A. (Reading.) Yes. 10 Q. At this time, do you have any opinions that 11 you'd like to proffer in this case that are not 12 contained in this report? 13 A. The -- I did my report prior to reading any of 14 the dep-- I think prior to these other depositions being 15 taken. So there are some things from those depositions 16 that I would like to comment on. 17 Q. Okay. Let's go through them. 18 What is the first comment you would like 19 to make based on the depositions? 20 A. Okay. So start with Ms. Cochell's deposition. 21 And I guess I'll first say that I have researched 22 simplecertifiedmail.com online. And I have no issues 23 with the system. It makes sense. I think it's probably 24 a good system. And hence, it's not there. 25 But in reading this deposition, it occurs</p> <p style="text-align: right;">Page 7</p>	<p>1 MS. RUDNICKI: Could you just slow down. 2 THE WITNESS: Sure. 3 BY MS. THOMPSON: 4 Q. When you say you did research on this, could 5 you explain a little bit more about what you did to look 6 into this? 7 A. Yeah, I Googled the question, "Is USPS 8 considering discontinuing the use of the green card?" 9 And read several of the hits that came up from that. 10 And just kind of dug down a rabbit hole. But by going 11 to the website this morning and it shows that they still 12 have them available. And if you're not familiar with 13 it, they have a little store online if you want -- 14 THE REPORTER: Slow down, please, just a 15 little, sir. 16 THE WITNESS: I'm sorry. 17 A. If you wanted express mail envelopes, if you 18 want boxes, if you want forms, you can order those and 19 they deliver them to your address. And so as of today, 20 those are still available. There's a comment in here 21 also they didn't think they were available anymore. 22 They -- they are. 23 BY MS. THOMPSON: 24 Q. Okay. So you're saying that you looked 25 online. And the USPS is still having green cards</p> <p style="text-align: right;">Page 9</p>

<p>1 available online. And you're -- so stop there. 2 That's correct? 3 A. That's correct. 4 Q. Okay. Did you do any research into the 5 availability of green cards in physical USPS stores? 6 A. I did not. 7 Q. Okay. 8 A. Although I can tell you every time I've been 9 to my local post office, they've had them on the shelf 10 there. 11 Q. When's the last time you remember seeing them? 12 A. About three weeks ago. 13 Q. Okay. Is -- does that cover your additional 14 opinions after reading Ms. Cochell's deposition? 15 A. No, there's -- 16 Q. Okay. 17 A. -- there's numerous. That's just in regard to 18 the green card. 19 Q. Okay. Let's go on to the next one. 20 A. All right. So talking about the carriers and 21 what they've been told. Green cards. (Reading.) So at 22 the bottom of -- it's page 24 out of her deposition. I 23 don't have -- the bottom of page 24: 24 "Did you -- have you talked to the 25 mail carriers about how the signature pad works with the</p> <p style="text-align: right;">Page 10</p>	<p>1 back and ask you to sign, do you count how many you're 2 getting? 3 "No. 4 "Do you determine whether or not how 5 many packages your one signature is attached to at that 6 time? 7 "No. 8 "Have you ever asked how that works? 9 "No. 10 "Have you seen certified mail come to 11 you through nonsimply certified mail records? 12 "They're not green cards. I don't pay 13 attention to that." 14 And so this and just my overall reading 15 the case, to me the issue with Simply-Certified mail is 16 not with the platform, not with their system, but with 17 really the way the mail carrier handles the delivery. 18 And the way in this case Ms. Cochell 19 handles it. There doesn't seem to be any process for 20 verifying that you got everything -- well, you sign it. 21 That's for everything that was scanned in. And do you 22 count them? Well, no. 23 So to me, that's the potential -- 24 potential for something being lost or misplaced or it 25 raises questions to me as to the integrity of the</p> <p style="text-align: right;">Page 12</p>
<p>1 different envelopes?" 2 And she says, "No." 3 "Do you know how it works? 4 "I guess I just understand it based on 5 what they have told me." 6 And he says, "Describe it for me? 7 "Well, when we get certified mail, if 8 there's a green card, I sign the green card. You tear 9 it off, give it back to the mail carrier, and then they 10 -- they will scan it. If we get a stack, which some 11 days we do, they will scan all the barcodes and then 12 hand me the pad to sign --" 13 THE REPORTER: Slow down, please, when 14 you read, sir. 15 A. " -- and to print your name and put your 16 address on it for all these that were scanned. 17 "QUESTION: When you receive that, do 18 you count them and make sure that they -- that they've 19 got all of them scanned? 20 "I don't actually see that on the 21 screen. You can hear each one beep as they're doing it. 22 "Do you, yourself, count? 23 "No." And it goes back and forth with 24 the (inaudible.) 25 "Do you, yourself -- when they come</p> <p style="text-align: right;">Page 11</p>	<p>1 process. 2 BY MS. THOMPSON: 3 Q. Okay. Just so I understand, so are you saying 4 that the mail carrier after scanning each piece of mail 5 maybe doesn't hand over all of the pieces of mail 6 because no one is checking to make sure they got all of 7 them? 8 A. It wouldn't be intentional. But there is -- 9 there -- there is room for error in this process in my 10 opinion. And I said in my report, I didn't see 11 conclusive evidence that this had absolutely been 12 delivered. And when I looked at the process or lack of 13 process when this happens, that just supports that 14 opinion. 15 Q. Okay. So I'm just trying to understand 16 exactly where you think the breakdown in the process is. 17 Okay. So let's start with Ms. Cochell and when she's 18 actually mailing things out. 19 What is the issue with what she's doing? 20 A. When she's mailing them out, I didn't -- I 21 didn't bring that up. It's really on the receipt that I 22 was looking at. Mailing them out, it appears as though 23 they prepare them. The one issue I do have with the 24 mail-out -- and it goes to Mr. Gilhorn's letter -- is he 25 puts on here via certified mail.</p> <p style="text-align: right;">Page 13</p>

<p>1 I was taught a long time ago, and it's 2 been reinforced many times since in every place that 3 I've worked with people, you put via certified mail, 4 return receipt requested, and then you put the number -- 5 the tracking number on this so that you can identify the 6 letter or the piece of mail being sent. You can link 7 that to the certified number and the scan and all of 8 that.</p> <p>9 And so it's a way of assuring -- and then 10 you've got all the backup that comes with it if you do 11 it electronically. If that number is on here, then you 12 know that letter and if you see it. If it's not, you're 13 not a hundred percent certain. There's room for error 14 in that process. And that also makes me question.</p> <p>15 Q. Okay. And so is the room for error you're 16 saying that it could be something different in the 17 certified mail that's sent out?</p> <p>18 A. It would be possible, if you had a bunch of 19 these, to maybe switch two of them; put them in the 20 wrong envelope. Without having that keyed here and then 21 preferably checked that it's received that what -- the 22 number that's on there.</p> <p>23 'Cause that's why we've always done it. 24 We do the same thing with FedEx. We -- you know, we get 25 all of those. They're logged. If you put it on the</p> <p style="text-align: right;">Page 14</p>	<p>1 Q. Okay. What -- what is the -- it sounds like 2 there are other issues.</p> <p>3 What's the next issue in the -- in the 4 process?</p> <p>5 A. I think the fact that they're scanned in tells 6 me it got out. So that when they're mailed, I didn't 7 see -- there's potential there if there's not a process 8 to make sure that everything was given to you goes out. 9 But once they're scanned in, you're pretty sure it went 10 out.</p> <p>11 But when they -- in the delivery with the 12 mail carrier, they seem pretty nonchalant. Well, here, 13 you sign here. And here's your -- it's not real clear. 14 There's not a count made, here's seven -- one, two, 15 three, four, five, six, seven. I don't see that being 16 verified anywhere.</p> <p>17 Q. And to be clear, are you talking about that 18 the mail is being picked up? Or when the mail is being 19 delivered?</p> <p>20 A. In this case, when the mail is being 21 delivered.</p> <p>22 Q. Okay.</p> <p>23 A. When it's being picked up, I think the fact 24 that it's scanned in as to that particular piece tells 25 you yes, that was actually sent.</p> <p style="text-align: right;">Page 16</p>
<p>1 letter so you can identify the contents of that 2 particular shipment.</p> <p>3 Q. Okay.</p> <p>4 A. And so it -- it doesn't prove anything one way 5 or the other. It just raises the question.</p> <p>6 Q. Okay. And so you're aware that the 7 Simply-Certified has like a memo line that tells you 8 what's in it, correct?</p> <p>9 A. It -- depending on what you -- yes. Depends 10 on what you put in it, yeah.</p> <p>11 Q. And that is not sufficient in your mind to 12 link up because why?</p> <p>13 A. Well, it could be if it were very descriptive.</p> <p>14 Q. Okay.</p> <p>15 A. But I don't know that it's -- again, you don't 16 know what's always in that memo line. And so let's see 17 if I can find it. If this even shows up on here. 18 That's the confirmation. A quick scan of this, I don't 19 see a description of the contents. (Reading.)</p> <p>20 But that's -- that's been an industry 21 practice for 40-some-odd years. Every place I've ever 22 worked, it's been at.</p> <p>23 Q. So the first problem you're identifying is the 24 lack of the certified number on the letter, correct?</p> <p>25 A. Yes.</p> <p style="text-align: right;">Page 15</p>	<p>1 Q. Okay.</p> <p>2 A. And were all of them? I don't know. We're 3 just addressing one.</p> <p>4 Q. Okay. And then the mail is then scanned when 5 delivered as well. Are you aware of that?</p> <p>6 A. The pieces that are delivered are scanned, 7 yes.</p> <p>8 Q. Okay. So you -- so you're saying that there 9 is, though, a potential gap in mail carrier scans but 10 then doesn't actually hand over every single piece; is 11 that correct?</p> <p>12 A. If it's not counted.</p> <p>13 Q. Okay.</p> <p>14 A. That is a possibility. And then she addressed 15 that here. (Reading.)</p> <p>16 "They will scan all the barcodes and 17 hand me the pad to sign. Print the name."</p> <p>18 I don't see any-- anybody counting 19 anything. And they just asked if count? No. So not 20 saying it didn't happen. It's just the opportunity -- 21 there's an opportunity that something got missed that 22 (inaudible.)</p> <p>23 Q. Understood.</p> <p>24 So you understand that Ms. Cochell is a 25 Mewbourne employee, correct?</p> <p style="text-align: right;">Page 17</p>

<p>1 A. Ms. Cochell? Yes.</p> <p>2 Q. Okay. So -- but the delivery we're talking</p> <p>3 about here is at Yukon, correct?</p> <p>4 A. Correct.</p> <p>5 Q. Okay. Do you know if they count the mail?</p> <p>6 A. I believe in the deposition they say they</p> <p>7 don't also. I believe that --</p> <p>8 Q. Okay.</p> <p>9 A. -- Ms. Johnson said they don't also.</p> <p>10 Q. I was just making sure we were talking about</p> <p>11 the same thing.</p> <p>12 A. Yeah, and I looked at this 'cause this was</p> <p>13 just the best description. But to me, I really put more</p> <p>14 of the blame on the carrier. I -- if -- if</p> <p>15 Simply-Certified mail is going to be reliable, they need</p> <p>16 to make sure that the carriers are handling this in a</p> <p>17 way that it doesn't create questions.</p> <p>18 And then internally, you would want to, I</p> <p>19 think, have a process too so that nothing falls through</p> <p>20 the cracks.</p> <p>21 Q. Okay. Would the issues you're talking about</p> <p>22 not still be the case if you're doing a physical green</p> <p>23 card certified mail?</p> <p>24 A. Well, it wouldn't be because if it's delivered</p> <p>25 and that green card is signed, then it is returned and</p> <p style="text-align: right;">Page 18</p>	<p>1 BY MS. THOMPSON:</p> <p>2 Q. Okay. Are there additional opinions you have</p> <p>3 after reading Ms. Cochell's deposition?</p> <p>4 A. Not directly. That's the one that I really --</p> <p>5 I said I had not seen that prior to my opinion or</p> <p>6 writing my opinion and writing my report.</p> <p>7 Q. Okay.</p> <p>8 A. But that just -- it surprised me when I read</p> <p>9 it.</p> <p>10 Q. Okay. Other than your opinions after reading</p> <p>11 Ms. Cochell's deposition, are there any other opinions</p> <p>12 you would like to proffer that are not in your report?</p> <p>13 A. (Reading.) No, I believe that's it.</p> <p>14 Q. Okay. Okay. Let's go back to your expert</p> <p>15 report, which we had marked as Exhibit 73.</p> <p>16 Could you turn to Exhibit B, which would</p> <p>17 be at the very back. It's the list of documents.</p> <p>18 A. Yes.</p> <p>19 Q. Okay. Are there any documents that you</p> <p>20 received from Yukon or counsel for Yukon related to your</p> <p>21 analysis in this case other than the documents listed on</p> <p>22 Exhibit B?</p> <p>23 A. This was done at the time I submitted my</p> <p>24 report. I have since received a number of the</p> <p>25 depositions.</p> <p style="text-align: right;">Page 20</p>
<p>1 that green card is keyed to that envelope so that you</p> <p>2 know, in fact, that was -- it wasn't just one signature</p> <p>3 for all of them. There's a separate signature on every</p> <p>4 single green card.</p> <p>5 Q. But if no one's counting them, is it not the</p> <p>6 same problem when the mail carrier just hands you the</p> <p>7 stack of green cards to sign and then hand back and then</p> <p>8 handing you the stack?</p> <p>9 MS. RUDNICKI: Objection; form.</p> <p>10 A. I've never had them hand me a stack of green</p> <p>11 cards. I've received these things before. They hand</p> <p>12 me. I sign them. They would then tear them off and --</p> <p>13 the carriers that I've worked with. So I mean, I</p> <p>14 understand what you're saying. But yeah.</p> <p>15 But you would at least want to count the</p> <p>16 cards and count the pieces and probably key that in and</p> <p>17 verify the -- the numbers.</p> <p>18 BY MS. THOMPSON:</p> <p>19 Q. Yes.</p> <p>20 A. If they'd already been torn off.</p> <p>21 Q. But if you're not counting, you have the same</p> <p>22 issue as with the Simply-Certified?</p> <p>23 MS. RUDNICKI: Objection; form.</p> <p>24 A. It's a process issue, yes.</p> <p>25</p> <p style="text-align: right;">Page 19</p>	<p>1 Q. Okay. Which depositions did you receive?</p> <p>2 A. Give me a minute. All right. Thank you. So</p> <p>3 deposition transcripts for Chad McDougal, Pam Cochell,</p> <p>4 Tony Phillips, Karina Edwards, Lestie Johnson. And some</p> <p>5 additional exhibits. I believe Exhibits 58 through 70,</p> <p>6 I think.</p> <p>7 MS. RUDNICKI: And just so it's clear, he</p> <p>8 has a full copy of this notebook.</p> <p>9 MS. THOMPSON: Okay. So he's received</p> <p>10 all exhibits from the deposition?</p> <p>11 MS. RUDNICKI: Every exhibit.</p> <p>12 MS. THOMPSON: Okay.</p> <p>13 THE WITNESS: And that was subsequent to</p> <p>14 preparing my report, receiving the notebook.</p> <p>15 BY MS. THOMPSON:</p> <p>16 Q. Is that all you remember receiving?</p> <p>17 A. It is.</p> <p>18 Q. Okay.</p> <p>19 MS. RUDNICKI: I feel like I need to say.</p> <p>20 MS. THOMPSON: Yeah, go ahead.</p> <p>21 MS. RUDNICKI: And some of the exhibits</p> <p>22 that are here are already on --</p> <p>23 MS. THOMPSON: Yes. Yeah, I would expect</p> <p>24 that. Yeah, okay.</p> <p>25 MS. RUDNICKI: (Indiscernible.)</p> <p style="text-align: right;">Page 21</p>

<p>1 MS. THOMPSON: That would be strange if 2 you hadn't given him the key documents. 3 MS. RUDNICKI: The key documents that are 4 already on there. 5 MS. THOMPSON: Yeah, I understand that. 6 MS. RUDNICKI: Okay. 7 MS. THOMPSON: Okay. 8 BY MS. THOMPSON: 9 Q. In formulating your opinions in this case, did 10 you review or rely on any documents other than those 11 listed in Exhibit B or the documents we just talked 12 about you receiving after your report? 13 A. No. 14 Q. Okay. Are you under any mental or physical 15 condition that would prevent you from testifying 16 truthfully today? 17 A. No. 18 Q. What did you do to prepare for your deposition 19 today? 20 A. Reviewed all of the material that we've 21 discussed, the material that was provided to me 22 previously. Obviously, I paid a lot of attention to 23 these depositions that I had not seen before. And so I 24 went through each one of those. Actually, all of them 25 once. And then went back and cross-referenced on all of</p> <p style="text-align: right;">Page 22</p>	<p>1 BY MS. THOMPSON: 2 Q. Okay. Let's go back to your report here, 3 Exhibit 73. Could you turn to Exhibit A, page 1 of your 4 -- of Exhibit A? 5 A. Yes. 6 Q. Okay. Is this your CV? 7 A. It is. 8 Q. Do you have any updates to your CV since 9 you've submitted this as part of your report? 10 A. No. 11 Q. Okay. 12 A. I had to stop and think if I'd been deposed 13 since then. I haven't, so... 14 Q. Okay. So I'd like to go through your work 15 history a little bit. 16 So it looks like, first of all, you went 17 to the University of Texas at Austin? 18 A. I did. 19 Q. Okay. And did you graduate? 20 A. I did not. I attended for two and a half 21 years. 22 Q. Okay. And were you at the time studying for a 23 specific major? 24 A. I started out biology premed and switched over 25 to general business.</p> <p style="text-align: right;">Page 24</p>
<p>1 those. 2 Re-read Mr. Roach's report, re-read my 3 report. Just generally reviewed everything to be -- be 4 prepared to -- to be deposed. 5 Q. Did you meet with counsel? 6 A. I did. 7 Q. For how long did you meet? 8 A. About three hours. About three hours 9 yesterday afternoon. 10 Q. Sounds like you have, but which depositions in 11 this case have you read? 12 A. I have read all of the ones that I mentioned 13 here. 14 Q. Okay. 15 A. I received those over the course of the last 16 week or so. I didn't just get them all at the end. So 17 yeah. I read through them as they... 18 Q. Okay. 19 A. Yeah. 20 MS. RUDNICKI: He looked at me because 21 technically he received them as we received them. 22 MS. THOMPSON: Okay. 23 MS. RUDNICKI: And then we sent him a 24 summary. 25 THE WITNESS: Lots of reading.</p> <p style="text-align: right;">Page 23</p>	<p>1 Q. Okay. And then what did you do after you left 2 U.T.? 3 A. Well, while I was working at UT, I was working 4 in retail. And the reason I left is there was a jewelry 5 company in Austin I was working for. And the manager 6 said if you can get into the management program like 7 right now, you'd have a store within a year, a year and 8 a half. You'd be one of our younger store managers. 9 Would you consider doing that? 10 And without a lot of detail, I did. And 11 so I went to work for -- it was called Stelfox Jewelers 12 in Austin. 13 THE REPORTER: I'm sorry, it was called? 14 THE WITNESS: I'm sorry. It was called 15 Stelfox, S-T-E-L-F-O-X Jewelers in Austin. 16 A. At Highland Mall. They then transferred me to 17 Linz, L-I-N-Z Jewelers in Dallas. Linz opened a store 18 in Oklahoma City in 1981. They transferred me up there 19 as manager. So they were pretty honest on their 20 year-and-a-half time frame. 21 BY MS. THOMPSON: 22 Q. Okay. 23 A. And then just to finish the story, one of my 24 best customers was a broker, an oil and gas lease 25 broker. And we got talking several times. He said come</p> <p style="text-align: right;">Page 25</p>

<p>1 see what we do. And I ended up going to work for him in 2 1981. 3 Q. Okay. So that's how -- 4 A. That brings you to that -- that brings us to 5 the gap. 6 Q. That was my question was what's with the gap. 7 Jewelry store manager is not what I was expecting, but 8 okay. 9 A. You know, it's funny where life takes you 10 sometimes. 11 Q. Okay. So in 1981, you started working as a 12 landman; is that correct? 13 A. Correct. 14 Q. Okay. So who were you working for? 15 A. A guy by the name of Sam B. Rose, R-O-S-E. 16 And the company is Sam B. Rose Oil and Gas Properties in 17 Norman, Oklahoma. 20011 Iowa 405-364-6920. 18 Q. Good memory. Don't need that much detail. 19 A. As many times as we -- I know. It's just... 20 Q. Okay. And how long did you work for Mr. Rose? 21 A. I worked on and off for Mr. Rose for -- gosh. 22 I don't know. Started in '81 and probably through '85 23 when I started -- when I went out on my own. 24 Q. Okay. So at that time, you started doing land 25 work for yourself as like an independent contractor?</p> <p style="text-align: right;">Page 26</p>	<p>1 really rough time. We probably lost 80 percent of the 2 field guys in our profession on something else. And 3 that was up until about 1992. I just kind of took it 4 where I could find it. 5 BY MS. THOMPSON: 6 Q. Okay. Let's take that in two chunks. So 7 let's talk about the '81 to '85. 8 A. I'm sorry. Let me point something out. And 9 that's what I was looking at. This is buried back here 10 in a different time. There was a reason for it. And 11 it's not -- I'm going to change that. It's not as 12 clear. But the -- the early stuff is actually in here 13 starting in 1981. It's in reverse chronological order. 14 Q. I got that. 15 A. Okay. Okay. Good deal. That's why when I 16 was looking at it, you know, you're concentrating -- 17 MS. RUDNICKI: She's on page 2. So why 18 don't you get on page 2. 19 THE WITNESS: Okay. 20 MS. RUDNICKI: Okay. Now you are on page 21 2, and she is on page 2. 22 BY MS. THOMPSON: 23 Q. I'm on page 2 talking about, yeah -- 24 MS. RUDNICKI: Right here. 25 BY MS. THOMPSON:</p> <p style="text-align: right;">Page 28</p>
<p>1 A. I did. And I was an independent contractor 2 for Sam too. We all were back then. 3 Q. Okay. And were you still in Norman after 4 1985? 5 A. I was in Oklahoma City. 6 Q. Oklahoma City. 7 A. (Indiscernible.) 8 Q. Okay. I see. And were you in Oklahoma City 9 until 1992? 10 A. No. And I was actually just looking at this. 11 Somehow preparing this, the early stuff got cut out. 12 And I don't -- that's why I double checked a couple of 13 times. And I've got a copy of this that goes back. 14 But anyway, no. Things in Oklahoma got 15 really bleak in about 1987 to the point before the 16 bumper sticker said when (indiscernible) Oklahoma City, 17 please turn out the lights. And so I was -- 18 MS. RUDNICKI: Slow down. Slow down. 19 A. So no. I began picking up work in other 20 areas, primarily a company in Texas that also had an 21 office in California. They had a bunch of properties 22 out in Consho County, Paint Rock. I helped them clean 23 up a bunch of you would to sell (indiscernible.) 24 That was a period of where you would take 25 the work as you could find it. And it was a really,</p> <p style="text-align: right;">Page 27</p>	<p>1 Q. This '81 to '92 time period. We're kind of 2 breaking it up. 3 A. Right. 4 Q. Just seems like there is two different phases 5 to it. So -- 6 A. '81 to '92 was clients all different places 7 and really would go -- and some of them were for a day 8 or two and others were for several weeks. Some of them 9 were without travel. But yeah. That was -- that was 10 doing whatever was necessary to eat. 11 Q. Okay. So -- so in this first chunk from '81 12 to '85 when you're working for Mr. Rose, what sort of -- 13 what sort of day-to-day work are you doing? 14 A. I was a field landman. I actually ended up 15 working at county 'cause I was curious, 44 of the 77 16 counties in Oklahoma. Now, that doesn't mean a lot of 17 time in each one of them, but I was kind of his fireman. 18 If he had something he needed done quickly 19 or needed something fixed, he would tell me to get in 20 the car and go. And so I went all over the state doing 21 a lot of work for him. And I say "him." I talked to 22 him all the time. Michael Schween and Hal Smith, who's 23 still active in Oklahoma City, were the two crew chiefs 24 we worked with when I was with Sam. And then... 25 Q. And as a field landman, what were you going</p> <p style="text-align: right;">Page 29</p>

<p>1 out to these sites to actually do?</p> <p>2 A. I did all of it. I didn't just run title. I</p> <p>3 didn't just buy leases. I did all this. So I would be</p> <p>4 given a prospect. And it could be a section. It could</p> <p>5 be larger. And I would go and -- using the public</p> <p>6 record, I would examine title.</p> <p>7 I would determine ownership. I would</p> <p>8 locate those people. I would identify any problems in</p> <p>9 the title that I saw as I went. I would locate those</p> <p>10 people. I would negotiate oil and gas leases --</p> <p>11 MS. RUDNICKI: Slow down.</p> <p>12 THE WITNESS: I thought I was.</p> <p>13 MS. RUDNICKI: I know.</p> <p>14 MS. THOMPSON: No, you're not.</p> <p>15 MS. RUDNICKI: No. You're not. You're</p> <p>16 going so fast.</p> <p>17 THE REPORTER: (Nods head vigorously in</p> <p>18 agreement.)</p> <p>19 THE WITNESS: I'm sorry.</p> <p>20 MS. RUDNICKI: And it's really not --</p> <p>21 it's really for the court reporter.</p> <p>22 THE WITNESS: Okay.</p> <p>23 MS. RUDNICKI: That we want to...</p> <p>24 THE WITNESS: I understand. I'll slow</p> <p>25 down.</p> <p style="text-align: right;">Page 30</p>	<p>1 activity usually on a prospect basis.</p> <p>2 Q. Okay. So it says that you were a witness</p> <p>3 before the Oklahoma Corporation Commission in force</p> <p>4 pooling matters; is that correct?</p> <p>5 A. I was.</p> <p>6 Q. Okay. Approximately how many matters?</p> <p>7 A. I was looking at that the other day. A</p> <p>8 handful. Probably two to five, three to five.</p> <p>9 Something like that. It was for a client in</p> <p>10 Pottawatomie County. P-O-T-T-A-W-A-T-O-M-I-E.</p> <p>11 Q. Do you remember any specifics about these</p> <p>12 matters?</p> <p>13 A. We were working a project in Pottawatomie</p> <p>14 County. And we were getting ready to draw wells. And</p> <p>15 in pooling them, I would gather all of the information</p> <p>16 necessary to testify before the Corporation Commission</p> <p>17 as to bonus and royalty and terms and that sort of thing</p> <p>18 so I could inform the hearing officer of what was going</p> <p>19 on in --</p> <p>20 THE REPORTER: So you could inform who?</p> <p>21 THE WITNESS: The hearing officer.</p> <p>22 BY MS. THOMPSON:</p> <p>23 Q. So were you testifying on behalf of the</p> <p>24 prospective operator?</p> <p>25 A. Yes.</p> <p style="text-align: right;">Page 32</p>
<p>1 THE REPORTER: Thank you.</p> <p>2 MS. RUDNICKI: You're welcome.</p> <p>3 A. But whatever was necessary to complete. And</p> <p>4 some -- some were large projects. Some were small</p> <p>5 projects. Sometimes there would be other people on the</p> <p>6 same project.</p> <p>7 BY MS. THOMPSON:</p> <p>8 Q. Okay.</p> <p>9 A. But just general field work. Not -- not</p> <p>10 in-house work.</p> <p>11 Q. Okay. And at this time period, that's only in</p> <p>12 Oklahoma; is that correct?</p> <p>13 A. From --</p> <p>14 Q. '81 to '85.</p> <p>15 A. '81 to about '87.</p> <p>16 Q. '87.</p> <p>17 A. Yeah.</p> <p>18 Q. Okay. '87. Okay. So what is [sic] lead</p> <p>19 broker mean?</p> <p>20 A. Lead broker is generally the landman who gets</p> <p>21 the work from the client and assigns it out to sub</p> <p>22 brokers, so independent contractors.</p> <p>23 Q. And what is crew chief?</p> <p>24 A. A crew chief is in between the lead broker and</p> <p>25 the field brokers. And he coordinates the field</p> <p style="text-align: right;">Page 31</p>	<p>1 Q. And so were all of these matters for the same</p> <p>2 operator?</p> <p>3 A. Yes.</p> <p>4 Q. Were there any protests in any of these</p> <p>5 matters?</p> <p>6 A. Not that I'm aware of. There may have been</p> <p>7 after I gave them my testimony. I don't recall there</p> <p>8 being any. But there might have been. Certainly</p> <p>9 nothing I dealt with.</p> <p>10 Q. Okay. So then after 1987 -- so in 1987 to</p> <p>11 1992, is that when you were working in Texas, Arkansas</p> <p>12 and Montana?</p> <p>13 A. '90-- from -- well, I didn't work for</p> <p>14 Louisiana then. Mainly Texas properties in that period</p> <p>15 in '92. I actually ended up moving to Dallas in 1992.</p> <p>16 It could have been several other places. Just --</p> <p>17 MS. RUDNICKI: Wait.</p> <p>18 MS. THOMPSON: Yeah, yeah, yeah. Sorry.</p> <p>19 MS. RUDNICKI: She's talking about a</p> <p>20 different time frame.</p> <p>21 BY MS. THOMPSON:</p> <p>22 Q. Yeah. So '87 to '92.</p> <p>23 A. Right.</p> <p>24 Q. You indicate -- so you've put together on your</p> <p>25 resume '81 to '92. So I'm kind of trying to break it</p> <p style="text-align: right;">Page 33</p>

<p>1 up. It seems like there is a solely Oklahoma time. And</p> <p>2 so --</p> <p>3 A. '81 to '87 --</p> <p>4 Q. Yes.</p> <p>5 A. -- was Oklahoma.</p> <p>6 Q. So '87 to '92, you also have references to</p> <p>7 Texas, Arkansas and Montana. So I'm trying to figure</p> <p>8 out if that is what's happening during that time period?</p> <p>9 A. Well, Oklahoma, Texas, Arkansas, Montana all</p> <p>10 would have -- I worked all of those prior to '87.</p> <p>11 Q. Okay.</p> <p>12 A. I've also worked Oklahoma and Texas from '87</p> <p>13 to '92.</p> <p>14 Q. Okay. So again, we'll take a chunk.</p> <p>15 From '81 to '87, what percentage of your</p> <p>16 work was Oklahoma work?</p> <p>17 A. Probably 85 percent.</p> <p>18 Q. Okay. And then from '87 to '92, what</p> <p>19 percentage would you say was Oklahoma work?</p> <p>20 A. Probably 25 percent.</p> <p>21 Q. Okay. And what was the majority of your work</p> <p>22 from '87 to '92 geographically?</p> <p>23 A. You mean in Texas?</p> <p>24 Q. Was it Texas?</p> <p>25 A. Yeah.</p> <p style="text-align: right;">Page 34</p>	<p>1 A. And I don't know that PPLAs were common in</p> <p>2 that time period. I don't believe they were.</p> <p>3 Q. I don't know either.</p> <p>4 A. I think that's a relatively new thing.</p> <p>5 Q. Okay. So then in 1992, you took a job in</p> <p>6 Dallas with Commonwealth Land Title Insurance Company --</p> <p>7 A. Right.</p> <p>8 Q. -- is that correct?</p> <p>9 A. Right.</p> <p>10 Q. What did you do there?</p> <p>11 A. So I moved to Dallas. And land work was still</p> <p>12 hard to come by. And I had seen an ad in the newspaper</p> <p>13 for somebody with title experience. But it was with a</p> <p>14 title company. And so I called them. No, no. We need</p> <p>15 people with title. And I said, well, what do you do?</p> <p>16 And I told them what I -- okay. Talk to us.</p> <p>17 I ended up going down there on a temporary</p> <p>18 basis starting working some files for them. They hired</p> <p>19 me within about 60 days to be a title examiner in house.</p> <p>20 And a few months later, I was named Assistant Title</p> <p>21 Operations Manager.</p> <p>22 Q. Okay.</p> <p>23 A. I tried to tell them that a landman is nothing</p> <p>24 more than a field or abstract or examiner.</p> <p>25 Q. Okay. So you were working from '92 to '94 as</p> <p style="text-align: right;">Page 36</p>
<p>1 Q. That's what I'm asking.</p> <p>2 A. Yeah.</p> <p>3 Q. Okay?</p> <p>4 A. I didn't know if you wanted the counties.</p> <p>5 Q. Oh, no. We don't need to be that specific.</p> <p>6 If you remember, you can tell me. But we -- we don't</p> <p>7 need that. Okay.</p> <p>8 Were you involved with any applications</p> <p>9 before the Oklahoma Corporation Commission where you</p> <p>10 weren't testifying?</p> <p>11 A. No.</p> <p>12 Q. Okay.</p> <p>13 A. I may have gathered information in the field,</p> <p>14 but not in the actually preparation sense, involved in</p> <p>15 that sense.</p> <p>16 Q. Okay.</p> <p>17 A. Getting the material together so that they</p> <p>18 could -- so the in-house landman could file.</p> <p>19 Q. But you're not directly involved?</p> <p>20 A. No.</p> <p>21 Q. Got it. Understand.</p> <p>22 So at any point in this '81 to '92 time</p> <p>23 period, were you dealing with PPLAs?</p> <p>24 A. No.</p> <p>25 Q. Okay.</p> <p style="text-align: right;">Page 35</p>	<p>1 a title examiner?</p> <p>2 A. And I was actually running the title plant.</p> <p>3 Hands on, work flow, taking care of problems. My office</p> <p>4 was between the two title attorneys. And so any issue</p> <p>5 that came up, I would take it -- actually, I told them</p> <p>6 I'm going to ask both of you 'cause I want to learn</p> <p>7 everything from your prospective.</p> <p>8 And they -- they were great. So it was</p> <p>9 kind of like a mimi title school too on top of the</p> <p>10 experience I already had.</p> <p>11 Q. And you were living in Dallas at the time?</p> <p>12 A. Living in Dallas.</p> <p>13 Q. Okay. Then it looks like you went back to</p> <p>14 being an independent landman in 1994; is that correct?</p> <p>15 A. I did. One of the guys that I had hired as an</p> <p>16 abstractor at Commonwealth had left to go back to being</p> <p>17 a landman, which is what everybody was trying to do.</p> <p>18 And he called me and told me that he was working on a</p> <p>19 project and they needed help down in the Houston area,</p> <p>20 down in Brenham and Washington County. And it was with</p> <p>21 Chesapeake.</p> <p>22 THE REPORTER: With -- with Chesapeake?</p> <p>23 THE WITNESS: I'm sorry, with Chesapeake.</p> <p>24 A. And I went down and talked to him and went to</p> <p>25 work for him.</p> <p style="text-align: right;">Page 37</p>

<p>1 BY MS. THOMPSON: 2 Q. Okay. So you were an independent contractor 3 for Chesapeake? 4 A. Yes. 5 Q. Okay. And were you an independent contractor 6 for Chesapeake from 1994 to 2013? 7 A. No, from '94 until about '96 -- I moved to 8 Houston in '95. Worked -- continued to work for them 9 for a while. And then ended up going to work with 10 various groups in Houston. 11 Q. Okay. 12 A. Chesapeake was having cash flow issues. 13 Q. So when you were working with Chesapeake, what 14 -- what kind of work were you doing? 15 A. Similar to what I had done before. Running 16 title. Locating people. Negotiating leases. With 17 them, I did more curative work probably than I had done 18 before, where I would -- you know, any issues in title, 19 people would bring them to me. And I would -- I would 20 worked to resolve those. 21 Actually doing title opinion curing. Once 22 the title opinion had been issued, taking those and 23 meeting those requirements, satisfying those 24 requirements. 25 Q. And was the work you were doing for Chesapeake</p> <p style="text-align: right;">Page 38</p>	<p>1 broker but then went back to working for yourself. 2 At what -- what year did you go back to 3 working for yourself? 4 A. Let's see. 2003/'4. Somewhere in there. 5 Q. Okay. So during this time, like '97 to 6 2003-ish time, is there a geographic area you're working 7 on? Or is this kind of all over? 8 A. In that time period, I worked multiple 9 counties in Texas. I worked Louisiana. I worked a 10 small project in Arkansas. By the way, I worked Montana 11 back when I was still in Oklahoma. But that's a long 12 story. But yeah. Again, where the work was. Things 13 were starting to pick up. 14 And then by -- by 1999, things -- the 15 industry had recovered some. And I was contacted to 16 begin a project in what turned out to be the Barnett 17 Shale up in the Dallas Fort Worth area. 18 And so I went up there. I literally went 19 from Houston to Johnson County just south of Fort Worth 20 every week for two years. We were the first company to 21 go in there. And that was for what was initially ended 22 up being -- Devon bottomed out. 23 THE WITNESS: Who started the shale? 24 A. But yeah. Anyway, we were the first one up 25 there. I'll think of it in a minute.</p> <p style="text-align: right;">Page 40</p>
<p>1 based in Texas? Or was it somewhere else? 2 A. It was in the Austin chalk play in Texas. And 3 that's an area northwest of Houston. 4 Q. Okay. So after your work with Chesapeake, you 5 said you started to work for various companies? 6 A. Yes. 7 Q. Okay. What types of companies were you 8 working for? 9 A. For oil and gas operators. Originally through 10 a broker named Roger Soape. And then again went back 11 out on my own. They were all -- they were all operators 12 from different places, different projects. Just a wide 13 variety. And I actually had as many as half a dozen or 14 eight landmen working for me as needed. 15 Q. Okay. And what type of land work were you 16 doing? 17 A. It's the same sort of thing. Although it 18 becomes more sophisticated as you get -- I think the 19 industry changed some. So not -- not just going to the 20 courthouse and running title and leasing. But taking 21 in-house issues and helping to resolve those. 22 Working very closely with the title 23 attorneys on satisfying title requirements and really 24 anything else that popped up that was a problem. 25 Q. Okay. And you said you were working with a</p> <p style="text-align: right;">Page 39</p>	<p>1 BY MS. THOMPSON: 2 Q. Okay. So you were traveling up there, but you 3 were based in Houston? 4 A. Based in Houston. 5 Q. Okay. Have you been based in Houston since 6 this time? 7 A. I have. 8 Q. Okay. So you said sometime around 2003 or 9 2004, you started working for yourself again. 10 And is -- was that the state of affairs 11 from 2003-ish to 2013? 12 A. Yeah, really -- yeah. I mean, we're all 13 independent contractors for hire. And one project wraps 14 up, I would usually stay with a client as long as they 15 had work. I think with one exception. 16 Q. Okay. And was your work during this time 17 similar to what you'd been doing before? 18 A. It was everything I had been doing before and 19 then more getting involved and going with -- to the 20 Texas Railroad Commission doing research there. 21 Looking at -- kind of working quasi in 22 house putting together units and that sort of thing. 23 More so than I had done previously. 24 Q. When you say that you were getting more 25 involved with the Railroad Commission, do you mean</p> <p style="text-align: right;">Page 41</p>

<p>1 putting together applications and filings to the 2 Railroad Commission?</p> <p>3 A. Or researching and gathering information so 4 that my client could file. Most of these companies have 5 in-house people who handle all their filings.</p> <p>6 Q. Okay. So you were researching in the files of 7 the Railroad Commission?</p> <p>8 A. Often, yes.</p> <p>9 Q. Okay.</p> <p>10 A. Also putting together packages on lease sales, 11 bid packages on lease sales, both with the Railroad 12 Commission and also at the county level on county lands 13 we leased. And they have auctions. So doing a lot of 14 that type of work also.</p> <p>15 Q. When you say you're putting together packages 16 for lease sales, what exactly does that mean?</p> <p>17 A. So if a governmental entity owns a piece of 18 property, they'll put it out for public bid. And you do 19 all the research necessary to try to determine what you 20 want to bid. And then you make sure the bid gets filed 21 timely.</p> <p>22 Q. Okay. Okay. So I this is -- somewhere in 23 this time frame is also when you started working as an 24 expert witness; is that correct?</p> <p>25 A. Yeah. Give you a date, I think. (Reading.)</p> <p style="text-align: right;">Page 42</p>	<p>1 got a phone call out of nowhere. And we talked about 2 it, and that's how I started doing it.</p> <p>3 Q. Okay. How did you get involved giving 4 seminars for the AAPL?</p> <p>5 A. Got drug into it kicking and screaming. No, 6 the director of education at the time, the people they 7 had doing these seminars -- and what I started with was 8 called the Certified Professional Landman exam review. 9 And it's a three-day. And it's day one, day two, day 10 three. I started doing day one.</p> <p>11 So the director of education called me and 12 said would you do this. I said I've never done any 13 public speaking. Oh, you can do it. No. I said no a 14 bunch of times. And he finally talked me into it. And 15 I spent a lot of time studying that material 'cause it's 16 eight hours. It's an eight-hour presentation.</p> <p>17 The first time I did it was with 18 transparencies, about 400 of them. And my greatest fear 19 was I was going to knock them over. And there's nothing 20 like staring into the sun all day. That's how I 21 started. And I had no desire to ever start doing that 22 or really to continue after that experience.</p> <p>23 Oh, you did great. Please keep doing 24 them. And now I've done that particular presentation 25 well over a hundred times. And the only reason I say</p> <p style="text-align: right;">Page 44</p>
<p>1 Q. It's the first time it shows up on your CV. 2 So --</p> <p>3 A. Yeah --</p> <p>4 Q. -- that's why it indicated to me.</p> <p>5 A. Yeah, no. That sounds right. It occurs to me 6 a lot of this stuff is not dated. But yeah. (Reading.) 7 So it's chronological. These are the cases in which I 8 was either deposed or testified at trial.</p> <p>9 Q. Uh-huh.</p> <p>10 A. There were some other cases where I was a 11 consulting expert that aren't on here.</p> <p>12 Q. Okay.</p> <p>13 A. But yeah. That -- that's -- that's about 14 right.</p> <p>15 Q. Okay.</p> <p>16 A. 2000-- in the middle 2000s.</p> <p>17 Q. And how did you get involved in expert witness 18 work?</p> <p>19 A. Well, go back a little. I started teaching 20 seminars for APL, the American Association of 21 Professional Landmen in 2003. And we used to do a lot 22 of seminars back then. And so I apparently -- some 23 attorneys thought that was pretty good background to 24 have for an expert.</p> <p>25 I had never marketed as an expert. And I</p> <p style="text-align: right;">Page 43</p>	<p>1 that is as you do these things, then I think you become 2 visible in the industry. And I've also -- at the same 3 time, was serving as an officer and committee chair and 4 such with our professional association. And so by 5 references. I've never really -- I just recently put 6 expert witness on my LinkedIn page. I've never really 7 advertised it.</p> <p>8 Q. You're a certified professional landman --</p> <p>9 A. I am.</p> <p>10 Q. -- correct?</p> <p>11 A. I am.</p> <p>12 Q. When did you first become certified?</p> <p>13 A. I certified in 1999.</p> <p>14 Q. Okay. So sometime around 2013, it looks like 15 you started a new job for -- is this Percheron?</p> <p>16 A. Percheron. Yeah, Percheron is a large 17 brokerage. They do not only oil and gas work but 18 right-of-way work and Department of Transportation work.</p> <p>19 But I had gotten to know the vice 20 president of operations and a couple of their other 21 people through AAPL. And they had done a private equity 22 merger with Percheron and with a company called -- 23 well, yeah. Well, it was Mason Dixon Energy out of the 24 East Coast and OGM Land in this area.</p> <p>25 They merged together to become Percheron,</p> <p style="text-align: right;">Page 45</p>

<p>1 BY MS. THOMPSON: 2 Q. Okay. So, Mr. Horne, we just before the break 3 finished talking kind of about your work history; is 4 that correct? 5 A. Yes. 6 Q. Okay. And one of the first things we talked 7 about was your experience testifying for the Oklahoma 8 Corporation Commission, correct? 9 A. Correct. 10 Q. And you said you had been involved in three to 11 five forced-pooling proceedings there? 12 A. Yeah. And there were a couple of times we 13 went down and didn't get -- we didn't get called. But 14 -- you know. 15 Q. Okay. So that was all we were kind of talking 16 about the 80's. Since then, have you been involved in 17 any proceedings before the Oklahoma Corporation 18 Commission? 19 A. I have not. 20 Q. Okay. Okay. So the most recent time you 21 testified before the Oklahoma Corporation Commission in 22 a forced pooling matter would have been around when? 23 A. Probably 1985, '6. Somewhere in there. 24 Q. Okay. 25 A. I don't think it was '87. I think it would</p> <p style="text-align: right;">Page 54</p>	<p>1 forced pooling, sorry. 2 A. Really, virtually none. There's the Mineral 3 Interest Pooling Act. But it's rarely successful. So 4 no. There's not a forced-- effectively, there's not a 5 forced pooling -- 6 Q. So there's -- 7 A. -- process in Texas. 8 Q. So there's not a need for PPLAs in Texas? 9 A. No. And when I was in Oklahoma, I don't think 10 it was a thing yet. 11 Q. Okay. Do you have any idea when PPLAs became 12 prominent in Oklahoma? 13 A. I don't. I've -- no. I don't. 14 Q. Okay. 15 A. I've heard. But nothing I could testify to. 16 Q. I don't know either. 17 When is the most recent time you've been 18 involved in a forced pooling matter in any state? 19 A. Oklahoma's the only state I'm aware of that 20 has that type of forced pooling. I may be wrong on 21 that, but it's the only one I'm aware of. So it would 22 have been -- you know, there's followups on that too 23 with increased incidents on -- again, I get a lot of 24 that for these small mineral interests. But I just got 25 one the other day, but...</p> <p style="text-align: right;">Page 56</p>
<p>1 have been '85 and '86. 2 Q. And when is the most recent time you've been 3 involved more generally in a forced pooling matter in 4 Oklahoma? 5 A. I own some mineral interests in Oklahoma. And 6 so I have been pooled most recently probably ten years 7 ago. 8 Q. Okay. What about the most recent time you've 9 been involved in a forced pooling matter in Oklahoma 10 where you weren't the mineral owner? 11 A. It would have been '87 or so -- I'm sorry, 12 86/87. Somewhere in there. 13 Q. Okay. Have you ever negotiated a PPLA? 14 A. I have not. 15 Q. When is the most recent time you've analyzed a 16 PPLA other than the PPLAs in this case? 17 A. That would be -- yeah. The PPLA being unique 18 to Oklahoma because of -- because of the pooling in 19 Oklahoma. 20 Q. Okay. 21 A. It's not something we have in Texas or any 22 other jurisdiction I'm aware of. 23 Q. Okay. And is that because -- as I understand 24 it -- let me know if I'm wrong -- in Texas, there's not 25 really a lot of pooling 'cause the law is different? Or</p> <p style="text-align: right;">Page 55</p>	<p>1 Q. Okay. So looking back at your extensive work 2 history that we talked about -- 3 A. 44 years. 4 Q. -- in which, if any, of these positions were 5 you the person responsible for sending or receiving well 6 elections? 7 A. No, I was not responsible in any of those 8 positions. 9 Q. Okay. 10 A. I would work with the person who was in 11 gathering. But no. Not directly responsible. 12 Q. Okay. In which, if any, of these positions 13 were you responsible for sending or receiving certified 14 mail? 15 A. In relation to pooling matters? Or just 16 certified mail. 17 MS. RUDNICKI: General. 18 BY MS. THOMPSON: 19 Q. Let's do general. 20 A. General certified mail? In almost all of them 21 for various reasons. 22 Q. What sorts of reasons would you be sending or 23 receiving certified mail? 24 A. Everything from sending originals to clients 25 at company's meeting request and sending FedEx. I've</p> <p style="text-align: right;">Page 57</p>

<p>1 just done a lot of it over the years.</p> <p>2 Q. Okay. Typically, when you mail things, what</p> <p>3 is the method of mailing that you use?</p> <p>4 A. Generally, it will be what my client requests.</p> <p>5 If I wanted something to get there in a hurry and it's</p> <p>6 not as dependent upon the proof of delivery, I would</p> <p>7 usually use FedEx. And they used to be more reliable</p> <p>8 than they are.</p> <p>9 But there are certain things where</p> <p>10 certified is required. And usually in regard to</p> <p>11 regulatory issues, I would use that then. FedEx was</p> <p>12 always easier.</p> <p>13 Q. Okay. Approximately how many pieces of</p> <p>14 certified mail do you mail out in a month?</p> <p>15 A. Right now very few. The nature of the work</p> <p>16 I'm doing doesn't require certified mail. But there</p> <p>17 were times when I might spend -- send 200 pieces out.</p> <p>18 Q. And what position were you in when you were</p> <p>19 needing to send 200 pieces of certified mail out?</p> <p>20 A. Contract landman working for an operator that</p> <p>21 had that -- needed to have that done.</p> <p>22 Q. Okay. And approximately how many pieces of</p> <p>23 certified mail do you receive in a month?</p> <p>24 A. It varies. I received one the other day. But</p> <p>25 I'd say in a year, maybe 12 to 15.</p> <p style="text-align: right;">Page 58</p>	<p>1 would do it myself.</p> <p>2 Q. Do you have any specialized education or</p> <p>3 training in certified mail?</p> <p>4 A. On the job.</p> <p>5 Q. So other than your experience as a landman</p> <p>6 during this whole time, you don't have any specific</p> <p>7 education or training on certified mail?</p> <p>8 A. No. And I don't know where I'd get it if I</p> <p>9 wanted it. But what I do is, I do read everything. I</p> <p>10 read all the requirements when -- any time I'm asked to</p> <p>11 deliver something in a new way.</p> <p>12 I mean, so there -- the first time I had</p> <p>13 certified mail, what do I need to do to do this right?</p> <p>14 And I would read all the cards. Read all the material.</p> <p>15 Q. And what are -- what are those materials that</p> <p>16 you're talking about reading?</p> <p>17 A. The postal service used to have little fly</p> <p>18 sheets, you know, available in the post office. Or</p> <p>19 they'd have something on the wall that talks about the</p> <p>20 different ways of sending things. I still read that</p> <p>21 stuff when I go to the post office.</p> <p>22 Q. So do you have any experience with certified</p> <p>23 mail other than sending and receiving certified mail?</p> <p>24 MS. RUDNICKI: Objection; form.</p> <p>25 A. Not that I can think of.</p> <p style="text-align: right;">Page 60</p>
<p>1 Q. Okay.</p> <p>2 A. And they tend to come in clusters.</p> <p>3 Q. When you receive certified mail, have you ever</p> <p>4 electronically signed for the certified mail?</p> <p>5 A. I've not.</p> <p>6 Q. So you have always gotten a green card to</p> <p>7 sign?</p> <p>8 A. If return receipt was requested, yes.</p> <p>9 Q. Okay.</p> <p>10 A. It's not -- I do get some certified mail that</p> <p>11 does not have a return repeat.</p> <p>12 Q. When you send certified mail, do you request</p> <p>13 return receipt?</p> <p>14 A. Almost always. It's client specific, but</p> <p>15 almost always.</p> <p>16 Q. And when you do use a return receipt</p> <p>17 requested, do you always use the physical green card?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. Now, are you the one who's actually</p> <p>20 putting things in the mail for certified mail?</p> <p>21 Or do you have some sort of secretary or</p> <p>22 assistant who helps you?</p> <p>23 A. I've done it both ways. But probably</p> <p>24 90 percent of the time, I do it myself. I've had</p> <p>25 secretaries or assistants before. But not -- I -- I</p> <p style="text-align: right;">Page 59</p>	<p>1 BY MS. THOMPSON:</p> <p>2 Q. Okay. Okay. Have you ever sent something by</p> <p>3 certified mail and received either a green card or an</p> <p>4 electronic receipt indicating that the mailing had been</p> <p>5 received and signed for by the recipient and then had</p> <p>6 the recipient deny having received the mailing?</p> <p>7 A. Not that I can recall.</p> <p>8 Q. Okay. Let me ask it the other way.</p> <p>9 Have you ever had someone claim that you</p> <p>10 received something by certified mail where they received</p> <p>11 either a green card or an electronic receipt indicating</p> <p>12 the mailing had been received and signed for, but you</p> <p>13 did not receive the mail?</p> <p>14 A. Not that I can recall.</p> <p>15 Q. Okay. Or have you -- sorry. We'll restart</p> <p>16 that. Are you aware of any instance of one of these</p> <p>17 situations happening?</p> <p>18 A. No.</p> <p>19 Q. Can we turn to page 3 -- no, wait. Wrong one.</p> <p>20 Page 5.</p> <p>21 MS. RUDNICKI: Of Exhibit A?</p> <p>22 MS. THOMPSON: Yes.</p> <p>23 A. Industry Presentations?</p> <p>24</p> <p>25 BY MS. THOMPSON:</p> <p style="text-align: right;">Page 61</p>

<p>1 Q. Yes. So as we kind of hinted at before, 2 you've done a lot of presentations in your career over a 3 lot of topics. Is that -- 4 A. Yeah, when I first started doing this. This 5 lists it all. 6 Q. Yes. And I appreciate that. It is always the 7 correct thing to do to over include -- yes. 8 Now, in all of these presentations, are 9 any of them about forced pooling? 10 A. No. 11 Q. Okay. Do any of these presentations discuss 12 PPLAs? 13 A. No. 14 Q. Do any of them discuss well elections? 15 A. No. 16 Q. Do any of these presentations discuss 17 certified mail? 18 A. No. 19 Q. Okay. That's easy. Okay. Now, let's turn to 20 page 14 of Exhibit A. So earlier you explained that 21 these are the cases that you've been deposed in or 22 testified at trial; is that correct? 23 A. That's correct. 24 Q. Okay. And are these in chronological order? 25 A. I believe they are.</p> <p style="text-align: right;">Page 62</p>	<p>1 A. The rest of these, I hesitate on some of these 2 'cause I think I did a lot of work that I don't know 3 that it ever really got filed as an expert report in the 4 case. 5 Q. Okay. It's also okay if you don't remember. 6 It's fine. 7 A. No, it's -- 8 MS. RUDNICKI: "I don't know" is a 9 perfectly fine answer. 10 BY MS. THOMPSON: 11 Q. Yeah, I'm just asking what you remember. 12 Okay. Did you give a deposition in all of these cases? 13 A. Either depose-- well, somewhere I testified 14 without being deposed. But one or the other in all of 15 them. Let's see if I can remember. 16 Q. Okay. 17 A. First, Reichmann, no. That was a bankruptcy. 18 Cornerstone, yes. Lengthy deposition on that one. 19 Another bankruptcy. (Reading.) Went straight to trial 20 on the next one. I was deposed at length on that Gregg 21 County case. Another 12-hour one. Midway, I testified. 22 Went straight to trial. I think the Adams v Chesapeake 23 was a brief deposition. (Reading.) 24 Prospect, I don't think so. Orca was a 25 trial. I don't think there was a deposition. Hanwha</p> <p style="text-align: right;">Page 64</p>
<p>1 Q. Okay. 2 A. Yes. They're -- they're meant to be. 3 Q. Okay. 4 A. So yeah. And I've compiled this, I guess. So 5 yeah. Just add them on to the end. So it should be. 6 Q. So this first one is the oldest one? 7 A. Yes. 8 Q. Okay. Did you submit an expert report in all 9 of these cases? 10 A. No. And I'm trying to think which ones I 11 might have. Is that your next question? 12 Q. Sure. Which ones did you submit a report in, 13 to the best of your recollection? 14 A. Yeah, that's a good -- that's a good question. 15 Let me see here. (Reading.) I believe in the AIC 16 Management, I did a short report, which is the third one 17 down. 18 Q. Okay. 19 A. The next one, I didn't do a report. I did a 20 12-hour depo. But I didn't do a report. Dickey Chinn. 21 I hesitated on some of these. I remember doing a lot of 22 work. Did we actually do a formal report? (Reading.) 23 Bottom of page 16, District of Columbia, I did a formal 24 report in that one. 25 Q. Okay.</p> <p style="text-align: right;">Page 63</p>	<p>1 was an arbitration with a deposition. And then the 2 arbitration, I believe. Antero case, another 12-hour 3 one in V&E's office in Dallas. (Reading.) Stronghold, 4 testified at trial. Oil Projects Great American. I 5 believe I was deposed in that one. 6 MS. RUDNICKI: Which one? 7 THE WITNESS: I'm sorry. The oil 8 Projects v Great American. 9 MS. RUDNICKI: Thank you. 10 A. I was deposed on the D.C. one. 11 BY MS. THOMPSON: 12 Q. Okay. Were you we obtained by Stronghold or 13 Enverus? 14 A. Stronghold. 15 Q. I was just curious. We've run into them. So 16 I was just curious. 17 A. You know that story? Or... 18 MS. RUDNICKI: No. No -- no stories. 19 THE WITNESS: Oh, no. I'm not -- 20 MS. RUDNICKI: No stories. 21 BY MS. THOMPSON: 22 Q. No. Not -- not on the record. Like it's 23 going to object. 24 A. I was just wondering. 25 Q. Okay. To the best of your knowledge, has your</p> <p style="text-align: right;">Page 65</p>

<p>1 testimony ever been limited or struck by a judge?</p> <p>2 A. I was advised long after the fact that</p> <p>3 testimony had been excluded. Seven years later, I found</p> <p>4 out about it. I contacted the law firm. Oh, yeah. It</p> <p>5 was --</p> <p>6 MS. RUDNICKI: Real quick. Is it on that</p> <p>7 list?</p> <p>8 BY MS. THOMPSON:</p> <p>9 Q. Yeah. So first question is, which case are</p> <p>10 you talking about?</p> <p>11 A. I -- I had -- it was either -- it was one of</p> <p>12 the Chesapeake cases.</p> <p>13 Q. Okay.</p> <p>14 A. And I don't know that the other one has</p> <p>15 separated. It's a long story. But I talked to the</p> <p>16 attorney. I said -- "Oh, yeah. They -- yeah. It</p> <p>17 was -- it was challenged. We -- we settled. So we</p> <p>18 didn't contest it."</p> <p>19 Why? And one answer was that I gave a</p> <p>20 legal opinion. And the other answer was that my report</p> <p>21 was virtually identical to another case, which was</p> <p>22 similar. So yeah. But I never really found out why.</p> <p>23 But yes. That one time is the only time I'm aware of.</p> <p>24 Q. Okay. So you believe it was limited or struck</p> <p>25 in some way because --</p> <p style="text-align: right;">Page 66</p>	<p>1 MS. RUDNICKI: Regardless of the outcome.</p> <p>2 MS. THOMPSON: And we should be equipping</p> <p>3 you with the tools to explain why. 'Cause oftentimes</p> <p>4 it's nothing wrong with your opinion.</p> <p>5 MS. RUDNICKI: Right.</p> <p>6 MS. THOMPSON: So I understand that.</p> <p>7 THE WITNESS: Yeah, well --</p> <p>8 MS. RUDNICKI: Like this time.</p> <p>9 (A brief discussion was held off the</p> <p>10 record.)</p> <p>11 THE WITNESS: It's hard to be a landman</p> <p>12 and not sound like a lawyer.</p> <p>13 MS. RUDNICKI: We disagree. Right? The</p> <p>14 lawyers disagree. I'm just kidding.</p> <p>15 THE WITNESS: You don't understand.</p> <p>16 MS. RUDNICKI: Okay. Now, back to</p> <p>17 question and answer.</p> <p>18 BY MS. THOMPSON:</p> <p>19 Q. Back to questions. Okay.</p> <p>20 So were any of your opinions in these</p> <p>21 cases involving forced pooling?</p> <p>22 A. No.</p> <p>23 Q. Were any of your opinions in these cases</p> <p>24 involving PPLAs?</p> <p>25 A. No.</p> <p style="text-align: right;">Page 68</p>
<p>1 A. I believe it was excluded, yeah.</p> <p>2 Q. Excluded for the reason of it was a legal</p> <p>3 opinion --</p> <p>4 A. Either I offered, yeah.</p> <p>5 Q. -- or it was the same that someone else was</p> <p>6 offering?</p> <p>7 A. No, the same that I had offered --</p> <p>8 Q. Oh, okay.</p> <p>9 A. -- in a virtually-identical case --</p> <p>10 Q. Uh-huh, you got it. Okay.</p> <p>11 A. -- with one of the same parties. I mean, they</p> <p>12 did the same thing. And so it was very similar. And</p> <p>13 so...</p> <p>14 Q. Okay. I will tell you, you're nowhere near</p> <p>15 the only expert I know who has no idea when their stuff</p> <p>16 gets struck and found out much later.</p> <p>17 MS. RUDNICKI: That's true.</p> <p>18 MS. THOMPSON: Yeah, we don't need to get</p> <p>19 into it now, but...</p> <p>20 THE WITNESS: No, I -- it -- it didn't go</p> <p>21 over well. Let me put it that way.</p> <p>22 MS. RUDNICKI: It -- it's one of those</p> <p>23 personal courtesies that we should afford all our</p> <p>24 experts.</p> <p>25 MS. THOMPSON: Yes.</p> <p style="text-align: right;">Page 67</p>	<p>1 Q. Were any of your opinions in these cases</p> <p>2 involving well elections?</p> <p>3 A. No.</p> <p>4 Q. Did your opinions in any of these cases</p> <p>5 involve certified mail?</p> <p>6 A. Oh it involved the use of certified mail or</p> <p>7 the testifying about how cert-- no.</p> <p>8 Q. Your opinions did not discuss certified mail</p> <p>9 in any of these cases?</p> <p>10 A. No, no.</p> <p>11 Q. So let's go to the first page of your report.</p> <p>12 A. Okay.</p> <p>13 Q. So we're on Exhibit 73. And we're --</p> <p>14 A. You said 73?</p> <p>15 Q. It's 73. You should have a copy with a</p> <p>16 sticker on it. I think --</p> <p>17 A. Oh, here it is. Sorry. This is with all the</p> <p>18 attachments.</p> <p>19 MS. RUDNICKI: Yeah, give me this. Let</p> <p>20 me put this all together.</p> <p>21 THE WITNESS: Can I write on it?</p> <p>22 MS. THOMPSON: I mean, you can.</p> <p>23 MS. RUDNICKI: I would prefer you didn't.</p> <p>24 THE WITNESS: No, no. That's fine. I'll</p> <p>25 put my -- I'll put my pen away. I have tendency to mark</p> <p style="text-align: right;">Page 69</p>

<p>1 stuff.</p> <p>2 MS. THOMPSON: Okay.</p> <p>3 MS. RUDNICKI: Go.</p> <p>4 THE WITNESS: That's why I asked.</p> <p>5 (A brief discussion was held off the</p> <p>6 record.)</p> <p>7 BY MS. THOMPSON:</p> <p>8 Q. Okay. Back to report. Exhibit 73.</p> <p>9 So we have -- your opinions start down</p> <p>10 here on the bottom of the first page. And so your</p> <p>11 opinions are in response to the opinions of Dorsey</p> <p>12 Roach; is that correct?</p> <p>13 A. Correct.</p> <p>14 Q. Okay. And so this first one in this final</p> <p>15 paragraph down here on page 1 is responding to a</p> <p>16 subparagraph in Mr. Roach's report Subparagraph D,</p> <p>17 correct?</p> <p>18 A. Correct. Can I pull his report up too so --</p> <p>19 MS. RUDNICKI: Yeah, you want to see it</p> <p>20 side to side?</p> <p>21 THE WITNESS: Yeah. There okay. Yes.</p> <p>22 BY MS. THOMPSON:</p> <p>23 Q. So this opinion here says -- are you ready?</p> <p>24 A. Uh-huh.</p> <p>25 Q. Okay. It says, "While the protest of a forced</p> <p style="text-align: right;">Page 70</p>	<p>1 Okay. So earlier we talked about the</p> <p>2 three to five cases you had been involved in for a</p> <p>3 certain client before the Oklahoma Corporation</p> <p>4 Commission, correct?</p> <p>5 A. Correct.</p> <p>6 Q. Okay. Are there other cases you've been</p> <p>7 involved with in front of the Oklahoma Corporation</p> <p>8 Commission?</p> <p>9 A. Not where I've appeared before the Corporation</p> <p>10 Commission, but where I was working for a company that</p> <p>11 did appear. And we did the research and I -- yeah. Saw</p> <p>12 some of the filings and such.</p> <p>13 Q. Got it.</p> <p>14 A. So yeah.</p> <p>15 Q. Okay. And --</p> <p>16 A. As an operator.</p> <p>17 Q. Sure. And so how many of those cases have you</p> <p>18 been involved in?</p> <p>19 A. Probably eight to ten.</p> <p>20 Q. Okay. And that would have been when you were</p> <p>21 working in Oklahoma in the 80's?</p> <p>22 A. Yeah, '82 to '87. '81 to '87. '82.</p> <p>23 Q. Did all of those involve vertical wells?</p> <p>24 A. Yes.</p> <p>25 Q. So were you involved in -- so of those eight</p> <p style="text-align: right;">Page 72</p>
<p>1 pooling can result in a delay of the issuance of the</p> <p>2 final order, said delay is case specific and can vary</p> <p>3 from a day to a few weeks to occasionally several</p> <p>4 months." Is that correct?</p> <p>5 A. Correct.</p> <p>6 Q. Okay. So what is the basis for this opinion?</p> <p>7 A. The basis is my experience. And it was in</p> <p>8 response to his statement that a pro-- when it's</p> <p>9 protested, he went straight to six to eight months. And</p> <p>10 I thought that was excessive.</p> <p>11 Q. Okay.</p> <p>12 A. So my opinion is -- yeah. In my previous</p> <p>13 experience, that yeah, it can lead to a delay. But it</p> <p>14 can be a short delay or a longer delay. Not just a...</p> <p>15 Q. And when you reference your experience, is</p> <p>16 this your experience with the Oklahoma Corporation</p> <p>17 Commission?</p> <p>18 A. Yes.</p> <p>19 Q. You testified earlier that you've not been</p> <p>20 involved in an Oklahoma Corporation Commission</p> <p>21 proceeding involving a protest; is that correct?</p> <p>22 A. Well, I've been involved in some as a</p> <p>23 respondent and such that may have been protested. But</p> <p>24 as far as representing a party, no. Is that?</p> <p>25 Q. Okay. Let's clarify.</p> <p style="text-align: right;">Page 71</p>	<p>1 to ten cases, how many of them involved a protest?</p> <p>2 A. Probably two.</p> <p>3 Q. In your experience, how long does it take to</p> <p>4 go from an application to a final pooling order in an</p> <p>5 Oklahoma Corporation Commission forced-pooling case with</p> <p>6 no protest?</p> <p>7 A. I didn't always know the exact dates. A</p> <p>8 matter of a few weeks. The ones that I was involved</p> <p>9 with came back fairly quickly. But again, this was in</p> <p>10 the '80s. So I don't know.</p> <p>11 Q. When a protest is filed in a forced-pooling</p> <p>12 matter before the Oklahoma Corporation Commission, what</p> <p>13 procedures change as a result of that protest?</p> <p>14 A. I don't know that I know that. In the support</p> <p>15 positions, I don't know that that -- the procedure was</p> <p>16 handled by the in-house landman.</p> <p>17 Q. Okay. Do you know if there are additional</p> <p>18 hearings that need to be had?</p> <p>19 A. I'm sorry?</p> <p>20 Q. Do you know if there are additional hearings</p> <p>21 that need to be had?</p> <p>22 A. Yes. It's my understanding there are.</p> <p>23 Q. In the two Oklahoma Corporation Commission</p> <p>24 forced-pooling proceedings you were involved in that had</p> <p>25 a protest, how long did they take to get to a final</p> <p style="text-align: right;">Page 73</p>

<p>1 order?</p> <p>2 A. It was fairly quickly. If I remember right,</p> <p>3 somewhere in the 60- to 90-day range, just based on how</p> <p>4 we reacted to it.</p> <p>5 Q. What do you mean by it depends on how we</p> <p>6 reacted to it?</p> <p>7 A. Well, the work flow in the office and so on.</p> <p>8 Waiting for this. And it seems that time frame's about</p> <p>9 right where we proceed.</p> <p>10 Q. Do you remember what the issues were in the</p> <p>11 two proceedings where there was a protest?</p> <p>12 A. I don't. I don't remember.</p> <p>13 Q. Do you remember the outcome in the two</p> <p>14 proceedings where a protest was involved?</p> <p>15 A. I know we ended up drilling a well. I don't</p> <p>16 know what the formal outcome was of the proceedings. We</p> <p>17 got what we needed to proceed.</p> <p>18 Q. Okay. So you probably assumed the operator</p> <p>19 was successful in getting the pooling order since they</p> <p>20 went ahead and drilled?</p> <p>21 A. Yeah, I'm sure they were.</p> <p>22 Q. Let's hope so. I guess limitations now,</p> <p>23 but...</p> <p>24 A. Yeah.</p> <p>25 Q. Okay. Any other basis for this opinion other</p> <p style="text-align: right;">Page 74</p>	<p>1 Q. So you disagree with the contention that it's</p> <p>2 always strictly enforced because you believe sometimes</p> <p>3 there are exceptions?</p> <p>4 A. I know sometimes there are exceptions, sure.</p> <p>5 Q. Okay.</p> <p>6 A. I thought the -- I thought the statement was</p> <p>7 overreaching.</p> <p>8 Q. So how would you characterize industry custom</p> <p>9 and practice on the enforcement of election deadlines?</p> <p>10 A. How would I characterize it?</p> <p>11 Q. Uh-huh.</p> <p>12 A. I'm not sure exactly what you're asking.</p> <p>13 Q. Okay. Let's try again.</p> <p>14 MS. THOMPSON: Yeah? You want to say</p> <p>15 something.</p> <p>16 MS. RUDNICKI: He characterized it as</p> <p>17 strictly enforced.</p> <p>18 THE WITNESS: Oh, you're talking about</p> <p>19 the enforce -- okay.</p> <p>20 MS. RUDNICKI: Yes. So how -- I think</p> <p>21 she's asking you how would you characterize it that's</p> <p>22 different than how he characterized it.</p> <p>23 BY MS. THOMPSON:</p> <p>24 Q. Yeah, that's correct.</p> <p>25 Does that make sense?</p> <p style="text-align: right;">Page 76</p>
<p>1 than your experience?</p> <p>2 A. Did I look outside the material or?</p> <p>3 Q. Just any -- what else did you rely on other</p> <p>4 than your experience in formulating this opinion?</p> <p>5 A. Just experience and the material I've reviewed</p> <p>6 for this case.</p> <p>7 Q. Okay. So if you turn to the next page.</p> <p>8 A. All right.</p> <p>9 Q. So -- and let me know if I am misinterpreting</p> <p>10 this. But my understanding is you are saying that it is</p> <p>11 not industry custom and practice to strictly enforce</p> <p>12 election deadlines; is that correct?</p> <p>13 A. Not every time.</p> <p>14 Q. So what do you mean -- what do you mean when</p> <p>15 you say that it's not industry custom and practice to</p> <p>16 strictly enforce deadlines every time?</p> <p>17 A. When I read this, I took it -- it sounded to</p> <p>18 me as though Mr. Roach was saying that -- I don't know</p> <p>19 if it's exactly -- how should I say this right? It</p> <p>20 sounded all encompassing. It's industry custom and</p> <p>21 practice in this case that it's always strictly</p> <p>22 enforced. And I disagree that it's always strictly</p> <p>23 enforced.</p> <p>24 Q. So --</p> <p>25 A. It's a case-by-case basis.</p> <p style="text-align: right;">Page 75</p>	<p>1 A. It's strictly enforced -- the way that it was</p> <p>2 written it sounds like there's never any deviation.</p> <p>3 It's always strictly enforced. And I disagree with</p> <p>4 that. Depending on the relationship of the parties,</p> <p>5 other things can happen. So I just thought that was an</p> <p>6 overreaching statement.</p> <p>7 Q. I understand --</p> <p>8 A. Yeah.</p> <p>9 Q. -- your disagreement with Mr. Roach's</p> <p>10 statement. I'm trying to ask, what is your opinion on</p> <p>11 the industry custom and practice on the enforcement of</p> <p>12 election deadlines?</p> <p>13 A. In the cases that I'm aware of, there was an</p> <p>14 attempt to work things out first. And sometimes</p> <p>15 something -- it could be worked out. Other times they</p> <p>16 went ahead and just strictly enforced the terms.</p> <p>17 Q. Okay. So in your experience, typically,</p> <p>18 there's a conversation. And sometimes they're strictly</p> <p>19 enforced and sometimes they're not.</p> <p>20 Is that -- is that a correct</p> <p>21 characterization?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. And do you have an opinion on whether</p> <p>24 most of the time they work it out?</p> <p>25 Or most of the time it's strictly</p> <p style="text-align: right;">Page 77</p>

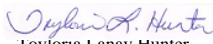
<p>1 enforced? Or what kind of percentages you see?</p> <p>2 MS. RUDNICKI: Objection; form.</p> <p>3 A. I would say more often than not, the cases I'm</p> <p>4 aware of, they've been able to work something out. If</p> <p>5 somebody just flat drawing that line -- it's generally</p> <p>6 not to their benefit -- or to everybody's benefit, it's</p> <p>7 to try to work it out.</p> <p>8 BY MS. THOMPSON:</p> <p>9 Q. Okay. Have you ever been involved in a</p> <p>10 situation on either side where a election deadline was</p> <p>11 missed and the party attempted to late elect?</p> <p>12 A. Attempted to, I'm sorry?</p> <p>13 Q. Late elect into the well.</p> <p>14 A. No.</p> <p>15 Q. Okay. So when you're talking about what you</p> <p>16 typically see, where is it that you're seeing these</p> <p>17 instances?</p> <p>18 A. Can you rephrase? I'm not understanding.</p> <p>19 Q. So you were talking about how you usually see</p> <p>20 people work out the -- the situation if there's a missed</p> <p>21 deadline. But then you said that you haven't personally</p> <p>22 been involved in that. So where is it that you're</p> <p>23 seeing these situations?</p> <p>24 A. Yeah, I guess I'm not understanding, so...</p> <p>25 MS. RUDNICKI: Let him think through it.</p> <p style="text-align: right;">Page 78</p>	<p>1 A. Well, I'm trying to -- I don't know that any</p> <p>2 of them ever got to the -- the ones that -- that I</p> <p>3 worked with in Oklahoma, if it ever got to the point</p> <p>4 where they were actually missed.</p> <p>5 But the attitude that we went into them</p> <p>6 with was let's try to work this out so we don't have --</p> <p>7 this sounds to me like every time, we're going to</p> <p>8 strictly enforce everything and be real hard core about</p> <p>9 it. And that wasn't -- and maybe I'm misreading this.</p> <p>10 MS. RUDNICKI: That's a good answer.</p> <p>11 A. Maybe I'm misreading this. But that was the</p> <p>12 way I took it is that there was -- with operators in the</p> <p>13 '80s in Oklahoma, they're -- let's get this -- let's</p> <p>14 figure out a way to get this done; not; having a real</p> <p>15 hard core -- well, threatening-type of approach. But</p> <p>16 having more work so that we don't end up in that</p> <p>17 situation.</p> <p>18 BY MS. THOMPSON:</p> <p>19 Q. So my understanding is -- and let me know if</p> <p>20 I'm wrong -- that your experience is that the general</p> <p>21 approach to elections was much more congenial and not</p> <p>22 strict?</p> <p>23 A. Less adversarial, yes.</p> <p>24 Q. Okay. And that is your basis for the opinion</p> <p>25 --</p> <p style="text-align: right;">Page 80</p>
<p>1 MS. THOMPSON: That's fine.</p> <p>2 A. Yeah, 'cause it -- the situation I've been</p> <p>3 involved in when I was working in Oklahoma with the</p> <p>4 operators is there would be posturing and so on. But it</p> <p>5 always seemed to be, gee, I wish -- there seemed to be</p> <p>6 an attitude towards let's work this out rather than just</p> <p>7 slam the door. Because litigation. And so that -- I</p> <p>8 mean, does that answer the question or?</p> <p>9 BY MS. THOMPSON:</p> <p>10 Q. Okay. Let me just -- so I think you're saying</p> <p>11 that you have been involved in situations where an</p> <p>12 election has been missed?</p> <p>13 A. No, more of where it would look like it was</p> <p>14 going to be a what are we going to do if it isn't, type.</p> <p>15 Does that make sense?</p> <p>16 Q. Okay.</p> <p>17 A. Let's -- let's work with this. I mean, if we</p> <p>18 have to, we can enforce it. But we prefer not to. And</p> <p>19 did that lead up to it being missed? I'm trying to</p> <p>20 think --</p> <p>21 Q. Let me make sure you're understanding.</p> <p>22 So when I say have you been involved in</p> <p>23 situations where an election has been missed, are you</p> <p>24 interpreting that as it was missed and then strictly</p> <p>25 enforced?</p> <p style="text-align: right;">Page 79</p>	<p>1 A. Yes.</p> <p>2 Q. -- is that correct?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. I'm going to show you what has</p> <p>5 previously been marked as Exhibit 8.</p> <p>6 (Exhibit 8 marked.)</p> <p>7 BY MS. THOMPSON:</p> <p>8 Q. It's the Section 1 letter agreement.</p> <p>9 A. 8, uh-huh.</p> <p>10 Q. Now, you've seen this document before,</p> <p>11 correct?</p> <p>12 A. I have.</p> <p>13 Q. And you've read this document before?</p> <p>14 A. I have.</p> <p>15 Q. I'm not going to hold you to memorizing it.</p> <p>16 A. I'm going to say I reviewed it, yes.</p> <p>17 Q. Okay.</p> <p>18 A. I can't repeat it all to you.</p> <p>19 Q. You're free to reference it and to look at it</p> <p>20 in more detail. I don't expect you to know everything</p> <p>21 off the top of your head.</p> <p>22 Okay. So this is the PPLA covering</p> <p>23 Section 1 of this case; is that correct?</p> <p>24 A. Yes. That -- that's the way it's labeled,</p> <p>25 yes. And if I remember right, Mr. Roach labeled it.</p> <p style="text-align: right;">Page 81</p>

<p>1 all or any portion of its interest --" and then it goes 2 on, correct? 3 A. Correct. 4 Q. Okay. So -- 5 A. They could elect. 6 Q. So you agree they could elect with less than 7 their full interest, correct? 8 A. Yes. 9 Q. Okay. So when Mewbourne sends an invoice to 10 Yukon, how do they know what percentage Yukon wants to 11 elect into? 12 A. I don't know that they would know. But 13 they're going to base that invoice on what they've 14 calculated Yukon's interest to be. And at which point, 15 I would think Yukon could then amend that or elect to 16 participate with a smaller percentage. 17 Q. Okay. So they would send an invoice for the 18 most that Yukon could elect into; is that correct? 19 A. I would think they would, yes. 20 Q. Okay. So it's kind of like a potential 21 invoice? 22 A. Well, it's an in-- 23 MS. RUDNICKI: Objection; form. 24 A. It's an invoice if they elect to proceed -- 25 you know, to participate with their full interest. It</p> <p style="text-align: right;">Page 86</p>	<p>1 Exhibit 10. It is the Section 12 letter agreement. 2 (Exhibit 10 marked.) 3 BY MS. THOMPSON: 4 Q. And if you look at kind of the bottom of page 5 1, top of page 2, it's got some language that you can 6 see is similar but not the same as -- 7 A. I'm looking at Paragraph 5. 8 Q. Okay. Do that too. 9 A. (Reading.) "Yukon should elect to participate 10 with all or any portion -- drilling --" 11 Q. It's okay. That'll work. 12 MS. RUDNICKI: Everyone stop. Everyone 13 stop. Deep breath. 14 A. Fourth line, "MOC will invoice Yukon for its 15 working interest share of his well." 16 BY MS. THOMPSON: 17 Q. Okay. If you continue that, it says -- okay. 18 Let's start at the beginning of 5. 19 A. Okay. 20 Q. Since that's where you wanted to go. 21 "MOC agrees that Yukon will not be 22 required to prepay its share of costs in accordance with 23 the terms and conditions under the pooling order. It is 24 agreed by the parties hereto that in the event that 25 Yukon should elect to participate with all or any</p> <p style="text-align: right;">Page 88</p>
<p>1 is an invoice. If they wish to participate with less, 2 they could request an amended invoice for that amount. 3 BY MS. THOMPSON: 4 Q. Okay. So it's not necessarily a final 5 invoice? 6 MS. RUDNICKI: Objection; form. 7 A. It could be. 8 BY MS. THOMPSON: 9 Q. But it's not necessarily one? 10 MS. RUDNICKI: Objection; form. 11 A. Probably not. But, I mean, it's an invoice 12 and it is required. 13 BY MS. THOMPSON: 14 Q. Okay. Do you know if the Section 12 letter 15 agreement requires an invoice? 16 A. (Reading.) 17 Q. I can give it to you if you don't know. 18 A. Yeah, I was going to say, I -- 19 MS. RUDNICKI: He likes to look at it. 20 BY MS. THOMPSON: 21 Q. That's fine. 22 A. I looked -- I looked at exhibits -- 23 Q. I'm going to hand you what was -- 24 A. 8, 9 and 10. 25 Q. Yes. What was previously marked as</p> <p style="text-align: right;">Page 87</p>	<p>1 portion of its interest in the drilling of a test well 2 to be drilled under the pooling order, MOC will invoice 3 Yukon for its working interest share of its well costs 4 associated with the test well on a monthly basis through 5 MOC's joint interest billing procedure." 6 Okay. So that is describing a procedure 7 where after you start incurring costs, you start jibbing 8 the working interest owner as you go along; is that 9 correct? 10 A. It appears to be. And then an invoice would 11 be required. 12 Q. Yes. At that time. Once the costs have been 13 -- but that's after the election, is what I'm asking? 14 A. (Reading.) Yeah, well, it says in the event 15 that Yukon should elect to participate. 16 Q. So there are -- 17 A. Yes. 18 Q. -- two different procedures for the Section 1 19 letter agreement and the Section 12 letter agreement on 20 what the invoice situation is in relation to the 21 election; is that correct? 22 A. It appears to be, yes. 23 Q. Okay. 24 MS. RUDNICKI: And it is also true that 25 they always both reference invoices.</p> <p style="text-align: right;">Page 89</p>

<p>1 MS. THOMPSON: Yes. That is true. You 2 are correct on that. It's just the timing that I was 3 trying to get at. 4 BY MS. THOMPSON: 5 Q. Okay. So that actually leads me to question. 6 So in your report, the second paragraph on 7 page 2, in response to Mr. Roach's Subparagraph H. 8 A. Yes. 9 Q. Okay. So this last sentence here, 10 "Additionally, many, if not most agreements specifically 11 stipulate that an invoice be provided"; do you see that? 12 A. I'm sorry. Where? 13 Q. I'm sorry. Let's start again. Okay. Your 14 report page 2. 15 A. Page 2, uh-huh. 16 Q. Paragraph 2. 17 A. Okay. 18 Q. The very last sentence. 19 A. All right. 20 Q. Are we in the same place starting with 21 "Additionally"? 22 A. Yeah, I'm sorry. I -- I -- 23 Q. Oh, no. It's okay. 24 A. -- misunderstood something you said in that. 25 So...</p> <p style="text-align: right;">Page 90</p>	<p>1 Your opinion is AFE is not an invoice, 2 correct? 3 A. Correct. 4 Q. I understand. I just want to know about this 5 last sentence. It says, "Many, if not most agreements 6 specifically stipulate that an invoice be provided." 7 I'm trying to understand what that means. 8 A. Well, we have two here. One is pro-- it's 9 required at one point and another one is required at 10 another point. But there is an invoice -- 11 Q. Okay. 12 A. -- required in both of these. 13 Q. That's what I was trying to understand is 14 whether you meant an invoice is eventually required, or 15 whether you were saying always that an invoice upfront 16 is required? 17 A. It would be required at the point -- well, 18 it's -- it's specific to that agreement. 19 Q. Okay. But it is not your opinion that most 20 agreements require an invoice at the time of election -- 21 of the election letter being sent? 22 A. I did not -- I wasn't asked to opine on that. 23 I -- I don't think I made -- I don't think I expressed 24 that opinion, yeah. 25 Q. I'm trying to -- you have a sentence here. I</p> <p style="text-align: right;">Page 92</p>
<p>1 Q. Okay. So let's start again. 2 "Additionally, many, if not most 3 agreements specifically stipulate that an invoice be 4 provided"; is that correct? 5 A. Yes. 6 Q. When you say that, do you mean an invoice at 7 any time? Or an invoice with the election letter? 8 A. Well, at any time would include with the 9 election or with subsequent occurrences, yes. 10 Q. Okay. 11 A. You're going to want to get an invoice to pay 12 on so the calculation's not off. 13 Q. Okay. I'm trying to understand if it is your 14 opinion that most agreements stipulate an invoice be 15 provided upfront when your election needs to be made or 16 whether your opinion is at some point, there's an 17 invoice that's going to be provided whether it's upfront 18 or whether it's later with a jibbing procedure like the 19 Section 12 letter? 20 A. My opinion is more that the AFE is not the 21 invoice, that an invoice provided is the invoice. 22 Q. Okay. I understand-- 23 A. At various times. 24 Q. Okay. I understand. And that's what kind of 25 the stuff before this is all about.</p> <p style="text-align: right;">Page 91</p>	<p>1 just want to know what it means. 2 A. Okay. Sure. 3 Q. So if that's not what it means, that's fine. 4 I'm just trying to figure out what this means. 5 A. Well, and let me just look real quick here. 6 Here. (Reading.) Well, it was in response to -- you 7 know. It is his Paragraph H. "It's industry practice 8 and custom in Oklahoma --" 9 (Reading extremely fast.) 10 MS. RUDNICKI: Stop. 11 MS. THOMPSON: Oh. 12 MS. RUDNICKI: Much slower. 13 THE WITNESS: Oh, I'm sorry. 14 BY MS. THOMPSON: 15 Q. And clearer. 16 A. "It is industry custom and practice in 17 Oklahoma and other oil-and-gas producing states to treat 18 an authorization for expenditure (AFE) like an invoice. 19 A typical AFE provides --" and it goes on to explain the 20 sufficient information. 21 I do not know of anyone who considers an 22 AFE to be an invoice. That's my opinion there. If an 23 invoice is required, get an invoice at whatever point is 24 required. 25 Q. Okay. Are you aware of any other agreement</p> <p style="text-align: right;">Page 93</p>

<p>1 that you've run across that required an invoice with an 2 election letter?</p> <p>3 MS. RUDNICKI: Besides the one in this 4 case?</p> <p>5 MS. THOMPSON: Yes.</p> <p>6 MS. RUDNICKI: Outside of the one in this 7 case.</p> <p>8 THE WITNESS: Outside of this case, no. 9 That's why --</p> <p>10 MS. THOMPSON: Okay.</p> <p>11 THE WITNESS: Okay. Yes.</p> <p>12 MS. RUDNICKI: She wasn't trying to trick 13 you.</p> <p>14 MS. THOMPSON: Yeah, I wasn't.</p> <p>15 MS. RUDNICKI: She doesn't do it that 16 way.</p> <p>17 (A brief discussion was held off the 18 record.)</p> <p>19 BY MS. THOMPSON:</p> <p>20 Q. I'm just trying to figure out. 21 There's no other instance you're aware of 22 where you've run across an agreement where the invoice 23 is required upfront with the -- with the election 24 letter?</p> <p>25 A. Not that I'm aware of.</p> <p style="text-align: right;">Page 94</p>	<p>1 in the depositions, the process was not sufficient to 2 guarantee that in my opinion.</p> <p>3 Q. Okay. And I just want to know what sort of 4 standard are you trying to meet in your mind when you -- 5 when you say this?</p> <p>6 What is the standard you're applying here?</p> <p>7 A. A process that would ensure -- oh. You've got 8 the mail carrier doing certain things. You've got the 9 people receiving and several of these that it's rather 10 haphazard. And in this case, the one with the signature 11 for the three, somebody walking by signs it.</p> <p>12 But is anything counted? No. We don't 13 know. We just simply don't know that they -- that those 14 three letters were, in fact, delivered, that it was 15 those three letters.</p> <p>16 Three letters were probably delivered. 17 Was this one that's at issue here, was that one of them? 18 I don't know.</p> <p>19 Q. Okay.</p> <p>20 A. I know that it was signed and that number was 21 on there. But was it? Did anybody count? Were there, 22 in fact, three handed over? What happened to them? If 23 the person who signed it never got it, what happened to 24 them?</p> <p>25 It's so many different variables in there</p> <p style="text-align: right;">Page 96</p>
<p>1 Q. Okay. Let's go to page 3 of your report. 2 So we talked a little bit about this at 3 the beginning of your deposition when you were talking 4 about Ms. Cochell's deposition.</p> <p>5 But I want to return to this third 6 paragraph saying, "It is my opinion that there is not 7 sufficient evidence to confirm that Yukon actually ever 8 received the specific spud letter that Mewbourne claims 9 to have sent," correct?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. What do you mean by sufficient 12 evidence?</p> <p>13 A. The -- let me say this right. The attitude 14 throughout -- well, it was signed for. That's evidence. 15 But when I look at the process and I look at the other 16 testimony as to how these letters were handled, how the 17 letter itself was labeled or not labeled, I don't see 18 sufficient proof beyond a reasonable doubt that that 19 letter was delivered.</p> <p>20 Q. Okay. So is that the standard you're using? 21 Beyond a reasonable doubt in your mind?</p> <p>22 A. Well -- and I probably shouldn't have said 23 that. There's a legal definition to that. I am not -- 24 I -- I could not comfortably say that I'm certain they 25 got it because the facts of the situation as I've read</p> <p style="text-align: right;">Page 95</p>	<p>1 that I -- I could not say -- I'd hate to be in that 2 position having to prove it was done.</p> <p>3 Q. Okay. So when you say there's not sufficient 4 evidence, to you does that mean I, Curt Horne, have not 5 been convinced? Is that what you're saying?</p> <p>6 MS. RUDNICKI: Objection; form.</p> <p>7 A. I've not seen sufficient evidence to be 8 confident that that letter was, in fact, delivered as 9 was discussed here. It's just -- I, quite honestly, was 10 very surprised. I expected, when I first started 11 looking at this, to see issues with simply -- 12 simplecertifiedmail.com. They're fine.</p> <p>13 It's the action of the carrier primarily 14 that I have an issue with. I would hope -- and I know 15 better. But I would hope that mail carriers would treat 16 this differently and take it seriously. Okay. I have 17 for you, thee letters. Here's the numbers on them.</p> <p>18 Verify that. Sign this. Here they are. 19 Count them one, two, three. One, two, three to be 20 comfortable that that -- you know. That it was, in 21 fact, delivered, he would need -- I'm just not there.</p> <p>22 This is my opinion. I would not allow 23 that to happen in my office. And I was just very 24 surprised to see that.</p> <p>25 BY MS. THOMPSON:</p> <p style="text-align: right;">Page 97</p>

<p>1 Q. Okay.</p> <p>2 A. And it's kind of a laissez faire attitude of</p> <p>3 the mail carrier.</p> <p>4 Q. So --</p> <p>5 MS. RUDNICKI: I know you're close, but I</p> <p>6 got to go to the bathroom again.</p> <p>7 MS. THOMPSON: Okay.</p> <p>8 MS. RUDNICKI: Only a four-minute break</p> <p>9 this time.</p> <p>10 MS. THOMPSON: Okay. We can go off the</p> <p>11 record.</p> <p>12 THE VIDEOGRAPHER: Off the record at</p> <p>13 11:14.</p> <p>14 (A break was taken from 11:14 a.m. to</p> <p>15 11:20 a.m.)</p> <p>16 THE VIDEOGRAPHER: Back on the record,</p> <p>17 11:20. Please proceed.</p> <p>18 BY MS. THOMPSON:</p> <p>19 Q. Thank you for answering my questions today,</p> <p>20 Mr. Horne. That's all I have.</p> <p>21 MS. THOMPSON: Pass the witness.</p> <p>22 MS. RUDNICKI: That's it.</p> <p>23 THE WITNESS: You're good?</p> <p>24 MS. RUDNICKI: We're good.</p> <p>25 MS. THOMPSON: I told you I was short.</p> <p style="text-align: right;">Page 98</p>	<p>1 CHANGES AND SIGNATURE</p> <p>2 PAGE LINE CHANGE REASON</p> <p>3 _____</p> <p>4 _____</p> <p>5 _____</p> <p>6 _____</p> <p>7 _____</p> <p>8 _____</p> <p>9 _____</p> <p>10 _____</p> <p>11 _____</p> <p>12 _____</p> <p>13 _____</p> <p>14 _____</p> <p>15 _____</p> <p>16 _____</p> <p>17 _____</p> <p>18 _____</p> <p>19 _____</p> <p>20 _____</p> <p>21 _____</p> <p>22 _____</p> <p>23 _____</p> <p>24 _____</p> <p>25 _____</p> <p style="text-align: right;">Page 100</p>
<p>1 THE WITNESS: All right.</p> <p>2 THE VIDEOGRAPHER: That concludes today's</p> <p>3 deposition. Off the record at 11:20.</p> <p>4 (Whereupon, the deposition was concluded</p> <p>5 at 11:20 a.m., and further the deponent</p> <p>6 saith not.)</p> <p style="text-align: right;">Page 99</p>	<p>1 I, CURTIS D. HORNE, CPL, have read the</p> <p>2 foregoing deposition and hereby affix my signature that</p> <p>3 same is true and correct, except as noted above.</p> <p>4 _____</p> <p>5 CURTIS D. HORNE, CPL</p> <p>6 _____</p> <p>7 THE STATE OF _____)</p> <p>8 COUNTY OF _____)</p> <p>9 Before me, _____, on</p> <p>10 this day personally appeared CURTIS D. HORNE, CPL, known</p> <p>11 to me (or proved to me under oath or through</p> <p>12 _____) (description of identity</p> <p>13 card or other document)) to be the person whose name is</p> <p>14 subscribed to the foregoing instrument and acknowledged</p> <p>15 to me that they executed the same for the purposes and</p> <p>16 consideration therein expressed.</p> <p>17 Given under my hand and seal of office this</p> <p>18 _____ day of _____, 2025</p> <p>19 _____</p> <p>20 NOTARY PUBLIC IN AND FOR</p> <p>21 THE STATE OF _____</p> <p>22 COMMISSION EXPIRES: _____</p> <p>23 _____</p> <p>24 _____</p> <p>25 _____</p> <p style="text-align: right;">Page 101</p>

<p>1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE WESTERN DISTRICT OF OKLAHOMA 3 MEWBOURNE OIL COMPANY,) 4) 5 PLAINTIFF,) 6) 7 VS.) CASE NO. 8) 5:24-CV-00143-G 9 YUKON TRADING COMPANY,) 10 L.L.C.,) 11) 12 DEFENDANT.) 13) 14) 15 ***** 16 17 REPORTER'S CERTIFICATION 18 DEPOSITION OF CURTIS D. HORNE, CPL 19 March 25, 2025 20 21 I, Toyloria Lanay Hunter, Certified Shorthand 22 Reporter in and for the State of Texas, hereby certify 23 to the following: 24 That the witness, CURTIS D. HORNE, CPL, was duly 25 sworn by the officer and that the transcript of the oral deposition is a true record of the testimony given by the witness; That the deposition transcript was submitted on to the witness or to the attorney for the witness for examination, signature and return to me by _____; That the amount of time used by each party at the deposition is as follows: MS. THOMPSON.....01:48:56</p> <p style="text-align: right;">Page 102</p>	<p>1 FURTHER CERTIFICATION 2 The original deposition was/was not returned to the 3 deposition officer on _____; 4 If returned, the attached Changes and Signature page 5 contains any changes and the reasons therefor; 6 If returned, the original deposition was delivered 7 to Samantha L. Thompson, Custodial Attorney; 8 That \$_____ is the deposition officer's charges 9 to the Plaintiff for preparing the original deposition 10 transcript and any copies of exhibits; 11 That the deposition was delivered in accordance with 12 Rule 203.3, and that a copy of this certificate was 13 served on all parties shown herein on and filed with the 14 Clerk. 15 Certified to by me this _____ day of 16 _____. 17 18 VERITEXT LEGAL SOLUTIONS 19 FIRM REGISTRATION NO. 571 20 300 Throckmorton 21 Suite 1600 22 Fort Worth, Texas 76102 23 Tel: 817.336.3042 24 25</p> <p style="text-align: right;">Page 104</p>
<p>1 That pursuant to information given to the deposition 2 officer at the time said testimony was taken, the 3 following includes counsel for all parties of record: 4 Samantha L. Thompson, Attorney for MEWBOURNE OIL COMPANY 5 Leah Rudnicki, Attorney for YUKON TRADING COMPANY, 6 L.L.C. 7 I further certify that I am neither counsel for, 8 related to, nor employed by any of the parties or 9 attorneys in the action in which this proceeding was 10 taken, and further that I am not financially or 11 otherwise interested in the outcome of the action. 12 Further certification requirements pursuant to Rule 13 203 of TRCP will be certified to after they have 14 occurred. 15 Certified to by me this 4th day of April, 2025. 16 17 18  19 Toyloria Lanay Hunter 20 Texas CSR No. 7978 21 Expiration Date: 09/30/2026 22 VERITEXT LEGAL SOLUTIONS 23 FIRM REGISTRATION NO. 571 24 300 Throckmorton 25 Suite 1600 Fort Worth, Texas 76102 Tel: 817.336.3042</p> <p style="text-align: right;">Page 103</p>	<p>1 leah@rudnickifirm.com 2 April 4, 2025 3 RE: Mewbourne Oil Company v. Yukon Trading Comapny LLC 4 DEPOSITION OF: Curtis D. Horne , CPL (# 7230193) 5 The above-referenced witness transcript is 6 available for read and sign. 7 Within the applicable timeframe, the witness 8 should read the testimony to verify its accuracy. If 9 there are any changes, the witness should note those 10 on the attached Errata Sheet. 11 The witness should sign and notarize the 12 attached Errata pages and return to Veritext at 13 errata-tx@veritext.com. 14 According to applicable rules or agreements, if 15 the witness fails to do so within the time allotted, 16 a certified copy of the transcript may be used as if 17 signed. 18 Yours, 19 Veritext Legal Solutions 20 21 22 23 24 25</p> <p style="text-align: right;">Page 105</p>